UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 July 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,5 and 6_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3, and 5-6_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

RESPONSE TO AMENDMENT

1.   This communication is responsive to the amendment received on July 8, 2008.

Claims 1 and 5-6 have been amended.

Claims 4 and 7-20 have been cancelled.

Claims 1-3, and 5-6 are pending further examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Fowler**

et al., (hereinafter referred to as Fowler) U.S Patent No. **6,714,977** in view of **Buonanno et al.,**

(hereinafter referred to as Buonanno) U.S Patent Publication No. **2002/0065885 A1**.and further

in view of **Steinbrenner et al.,** (hereinafter referred to as Steinbrenner) U.S. Patent No.

6,754,310.

4.   As to claim 1, Fowler teaches an Internet connection monitoring method comprising the

steps of:

detecting a connectivity problem with a household Internet connection, the household

Internet connection connecting a household internet to the Internet (refer to col. 8, lines 20-29,

Net bot 40 continuously monitors and detects a loss of power or internet connection);

selecting a contact point (col. 8, lines 20-29, the contact point is the system

administrator);

attempting to establish a communication connection with said contact point, wherein said communication connection is different than said household Internet connection (col. 8, lines 20-29, Net bot 40 communicates with the system administrator through telephone connection when the internet connections is lost);

conveying a problem notification to the contact point through the communication connection (col. 8, lines 20-29, Net bot 40 can dial out via telephone connection 42 to inform a system administrator of the loss of power or loss if internet connection).

Fowler does not explicitly teach wherein if the attempt fails, selecting another contact point from the list and attempting to establish a communication connection with the other contact point until a communication connection is successfully established with one of the contact points in the list.

However, Buonanno teaches an integrated multimedia B2B order processing error detection and resolution engine is provided. This error detection and resolution engine continuously monitors e-commerce internet gateways through which the business-to-business transaction passes for any exceptions which may periodically occur. When an exception is detected, an intelligent contact manager automatically determines and then locates the appropriate representative(s) authorized to resolve this exception. Buonanno further teaches hierarchical lists of individuals who have been designated as being qualified to make decisions are stored in a list format. If the first listed individual cannot be immediately reached, then the exception handling system tries to reach the next person on that list. The exception handling system sequentially tries each of the listed personnel until someone is reached who can address the exception (refer to Buonanno, paragraph 0049).

It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to incorporate the teaching of Buonanno into the invention of Fowler in order to get in

contact with someone able to correct the identified problem. The fact that alternate personnel are

listed on the contact list increases the chances of finding an available person that will be

informed of the failure and corrective actions can be made immediately without incurring further

delays.

Fowler in view of Buonanno do not teach providing at least one option for

troubleshooting the connectivity problem receiving a selection of said option; and responsively

performing an action relating to said Internet connection and wherein said selection comprises a

Dual Tone Multiple Frequency input.

However, Steinbrenner teaches a system for providing diagnostic information to at least

one telephone including a telephony interface device operatively coupled to at least one

telephone through a telephone line. The telephony interface device is operatively coupled to a

network, wherein the telephony interface device transmits diagnostic information to the at least

one telephone. The diagnostic information may preferably include diagnostic information

concerning the network, the telephony interface device, and the telephone line. The diagnostic

information may preferably be transmitted to the at least one telephone through voice prompts.

The diagnostic information may preferably be requested through the at least one telephone by a

user of the at least one telephone. The at least one telephone may preferably be a Dual Tone

Multi-Frequency keypad, and the diagnostic information may preferably be requested through

the Dual Tone Multi-Frequency keypad. The transmission of diagnostic information may

preferably be an interactive exchange between the telephony interface device and a user of the at

least one telephone. The interactive exchange may preferably be carried out at least in part

through voice prompts or through the Dual Tone Multi-Frequency keypad (Steinbrenner, col. 4

lines 34-56 and col. 10, lines 34-51).

It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to incorporate the teaching of Steinbrenner into the invention of Fowler and Buonanno

in order to allow the system administrator to troubleshoot and diagnose the internet connection

problem through the use of telephony device and DTMF input. This will enable the system

administrator to conduct remote diagnostics and troubleshooting on the system when it

encounters network connection problems.

receiving a selection of one of the at least one option; and responsively performing an

action relating to the Internet connection based on the received selection of option.

5.   Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Fowler et al.,**

(hereinafter referred to as Fowler) U.S Patent No. **6,714,977** in view of **Buonanno et al.,**

(hereinafter referred to as Buonanno) U.S Patent Publication No. **2002/0065885 A1**.and further

in view of **Steinbrenner et al.,** (hereinafter referred to as Steinbrenner) U.S. Patent No.

6,754,310. and further in view of **Berstis et al.,** (hereinafter referred to as Berstis) U.S. Patent

No. **6,718,015.**

6.   As to claim 2, Fowler teaches the claimed invention as shown above in claims 1 and 13.

Fowler did not explicitly teach wherein said communication is a voice connection, and wherein

said problem notification is a speech message. Although, one of ordinary skill in the art at the

time of the invention was made would understand that since Fowler uses a telephone to

communicate, it must have a voice connection; this is by definition of a telephone. However, to

make the record clear and since Fowler did not explicitly teach the voice connection and said

problem notification is a speech message, the examiner introduced a secondary reference

(Berstis) that explicitly teaches the missing limitations

Berstis teaches a method for enabling a user having access to a telephone device to

browse the Internet without a Web browser. The method begins by establishing a voice

connection between the user's telephone device and a computer. The computer includes a Web

browser and a text-to-speech processor. Using the telephone device, the user enters information

identifying a given URL. The input information is then supplied to the Web browser, which

fetches the desired page. The text portions of the Web page are then converted to speech and

output to the user over the telephone device(Berstis, abstract), for the purpose of allowing a

speech message to be communicated to the system administrator.

Accordingly, it would have been obvious to one having ordinary skill in the art at the

time the invention was made to utilize the teachings of Berstis in the invention of Fowler,

Buonanno and Steinbrenner, for the purpose of allowing the Net bot 40 of Fowler to

communicate the problem notification to a system administrator using a speech message and thus

giving the user the ability to communicate using different mechanism to guarantee the

communication is established all the time. This type of communication is possible because the

Net bot 40 is already communicating through the telephone connection and all that is needed is

text-to-speech processor of Berstis in order to communicate the speech message to the system

administrator.

7.   As to claim 3, Fowler teaches the claimed invention as shown above. Fowler does not

teach generating a personalized problem report; and text-to-speech converting said problem

report resulting in said problem notification.

However, Berstis teaches a method for enabling a user having access to a telephone

device to browse the Internet without a Web browser. The method begins by establishing a

connection between the user's telephone device and a computer. The computer includes a Web

browser and a text-to-speech processor (this is equivalent to the claimed text to speech

converting). Using the telephone device, the user enters information identifying a given URL.

The input information is then supplied to the Web browser, which fetches the desired page. The

text portions of the Web page are then converted to speech and output to the user over the

telephone device and thus the converted text to speech report results in problem notification

(Berstis, abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the teaching of Berstis in the invention of Fowler, Buonanno

and Steinbrenner,in order to allow the Net bot 40 of Fowler to communicate the problem

notification to a system administrator using a speech message, for the purpose of allowing the

user to communicate through multiple methods for efficiently establishing communication. This

type of communication is possible because the Net bot 40 is already communicating through the

telephone connection and all that is needed is text-to-speech processor of Berstis in order to

communicate the speech message to the system administrator detailing the occurrence of the

problem.

8.   As to claim 5, Fowler in view of Buonanno do not teach the claimed invention as shown

above in claims 1. Fowler does not explicitly teach wherein said selection comprises a Dual

Tone Multiple Frequency input.

         However, Steinbrenner teaches a system for providing diagnostic information to at least

one telephone including a telephony interface device operatively coupled to at least one

telephone through a telephone line. The telephony interface device is operatively coupled to a

network, wherein the telephony interface device transmits diagnostic information to the at least

one telephone. The diagnostic information may preferably include diagnostic information

concerning the network, the telephony interface device, and the telephone line. The diagnostic

information may preferably be transmitted to the at least one telephone through voice prompts.

The diagnostic information may preferably be requested through the at least one telephone by a

user of the at least one telephone. The at least one telephone may preferably be a Dual Tone

Multi-Frequency keypad, and the diagnostic information may preferably be requested through

the Dual Tone Multi-Frequency keypad. The transmission of diagnostic information may

preferably be an interactive exchange between the telephony interface device and a user of the at

least one telephone. The interactive exchange may preferably be carried out at least in part

through voice prompts or through the Dual Tone Multi-Frequency keypad (Steinbrenner, col. 4

lines 34-56 and col. 10, lines 34-51).

         It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to incorporate the teaching of Steinbrenner into the invention of Fowler and Buonanno

in order to allow the system administrator to troubleshoot and diagnose the internet connection

problem through the use of telephony device and DTMF input. This will enable the system

administrator to conduct remote diagnostics and troubleshooting on the system when it

encounters network connection problems.

9.   As to claim 6, Fowler teaches the claimed invention as shown above. However, Fowler

does not teach where said selection comprises a speech input, said method further comprising the

step of: speech-to-text converting said input, wherein said action is initiated responsive to said

converted input.

Steinbrenner teaches a system for providing diagnostic information to at least one

telephone including a telephony interface device operatively coupled to at least one telephone

through a telephone line. The diagnostic information may preferably be transmitted to the at least

one telephone through voice prompts. The transmission of diagnostic information may preferably

be an interactive exchange between the telephony interface device and a user of the at least one

telephone. Steinberg further teaches wherein the interactive exchange may preferably be carried

out at least in part through voice prompts or through the Dual Tone Multi-Frequency keypad.

The access network interface 30 provides the hardware interface, control, and logic to translate

voice and signaling information to the appropriate format for transmission to and from the access

network 14 (Steinbrenner, col. 4 lines 34-56 and col. 10, lines 34-51).

It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to incorporate the teaching of Steinbrenner into the invention of Fowler and Buonanno

in order to allow the system administrator to diagnose and troubleshoot the failure of the system

through speech inputs for the convenient of the system administrator.

Response to Arguments

10.   Applicants' arguments with respect to claims 1-3, and 5-6 have been fully considered however they are not deemed to be persuasive.

The applicant argues in substance that the each references applied do not teach the whole claimed limitation.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The applicant is urged to consider the references in combination for teaching the claimed subject matter.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2155
September 29, 2008

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155